IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

WP(C).No. 18429 of 2006(R)

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PETITIONER:

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P.T.CHACKO,CONTRACTOR,SANTHA BHAVAN,
KALANJOOR, PATHANAPURAM.

BY ADV. SRI.M.PATHROSE MATTHAI (SR.)
SRI.RONY J.PALLATH
SRI.RADHIKA RAJASEKHARAN P.

RESPONDENTS:

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1. KERALA WATER AUTHORITY,
JALA BHAVAN, THIRUVANANTHAPURAM -695 033
REPRESENTED BY ITS MANAGING DIRECTOR.

2. THE EXECUTIVE ENGINEER,
P.H.DIVISION, KERALA WATER AUTHORITY,
PATHANAMTHITTA.

BY ADV. SRI.M.DINESH, SC, KWA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 18429/2006

**APPENDIX**

PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE LETTER DATED 19/02/1999.

EXT.P2 COPY OF THE LETTER TO THE 2ND RESPONDENT DATED 25/09/2003.

EXT.P3 COPY OF THE LETTER TO THE 1ST RESPONDENT DATED 29/04/2004.

EXT.P4 COPY OF THE LETTER TO THE 2ND RESPONDENT DATED 05/04/2006.

EXT.P5 COPY OF THE LETTER TO 1ST RESPONDENT DATED 08/06/2006.

EXT.P6 COPY OF THE LETTER OF THE CHIEF ENGINEER (SR) DATED 12/06/1992.

EXT.P7 COPY OF THE LETTER DATED 17/10/2003 OF THE 2ND RESPONDENT.

// TRUE COPY //

PA TO JUDGE

jg

**C.N.RAMACHANDRAN NAIR, J.**

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**WP(C) No. 18429 of 2006**

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**Dated, this the 20th day of February, 2007**

**J U D G M E N T**

Prayer is only for a direction to the respondents to evaluate the work done by the petitioner in terms of contract awarded and to release the payment. According to the petitioner, besides retention money of Rs. 9 lakhs, petitioner has to get around 39 lakhs for the work executed for Water Authority. The learned Standing Counsel for the Water Authority submitted that substantial claims have been allowed pursuant to the demand of the petitioner and this is for the balance work executed, which has to be verified before releasing payment. In the circumstance, this writ petition is disposed of with a direction to the 2nd respondent or the concerned Officer to verify the work done and if satisfied to authorize payment to the extend eligible in terms of the contract. The inspection of the work completed, should be done in petitioner's presence, and if any defect or short coming is noticed or further details required, the same will be submitted by the petitioner as demanded by the second

respondent. First and second respondents should issue final proceedings to release the eligible payment to the petitioner within two months from the date of production of a copy of this judgment by the petitioner. If any bill amount is declined, the reason for the same should be communicated to the petitioner.

This writ petition is disposed of as above.

**(C.N.RAMACHANDRAN NAIR, JUDGE.)**

jg